



## ADMINISTRATIVE DIRECTIVE

SUBJECT <b>CODE COMPLIANCE IN CITY IMPROVEMENT PROJECTS</b>	NUMBER	PAGE
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	<b>December 10, 1992</b>	

### I. PURPOSE

The purpose of this directive is to provide policies and procedures for permit approval or zoning compliance review for (1) all new City development and (2) facility improvement or repair projects for which City approval would be required if the activity were performed by the general public.

### II. DEFINITIONS

- A. **City's Registered Plant** - All City buildings that are registered with the City Building Official under the provisions of the Registered Plant Program (see F, below).
- B. **Community Design Review Committee (CDRC)** - An organization established by the City Manager to serve the Zoning Examiner, City Manager, and the Mayor and Council, as technical advisory committee on land development (see Development Standard 1-03.0).
- C. **Development** - Any Human alteration of the natural state of land, including its vegetation, soil, geology or hydrology, for any public, residential, commercial, industrial, and utility uses, including all areas used for vehicular access, circulation, and parking.
- D. **Development Standards** - City design standards and regulations governing land development requirements such as fire protection, City Engineer's public improvement standards, and sanitation, street, and parking lot improvement standards.
- E. **Force Account Work** - Any construction of City Improvements which is performed by City employees (see Tucson Code, Sec. 2-81).
- F. **Registered Plant Program** - The program which allows companies with large and/or numerous buildings to perform certain types of work on eligible buildings without obtaining individual building permits. The permit exemption is limited to buildings owned or leased by the participating company which have been registered with the City Building Official. (See Section IV C.)

### III. POLICY

- A. All new City development, and improvements or repairs to existing City facilities for which a City permit would be required if performed by the general public, will be performed pursuant to a permit which complies with all applicable City Codes, Development Standards, and other City development requirements for issuance of such a permit.
- B. Zoning review and approval is required in some instances when a permit is not required (for example, for landscaping in scenic corridor zones or construction of walls).



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- C. Force account work will be performed in accordance with the same permit and approval requirements as contracted work.
- D. Departments will obtain: (1) plan approval for building, grading (including stockpiles), and site plans in accordance with the ordinances and regulations of the City, and (2) required permits and inspections by the City agency responsible for enforcing the applicable code provision.
- E. The requirements of this directive apply to all new City projects and to projects that are not past the 60% design stage at the time the directive is first published. (Projects which have already passed the 60% design stage at the time this directive is first issued are not subject to this directive.)

**IV. REVIEW PROCEDURE**

**A. General**

- 1. All proposed City improvements which involve modification of existing City buildings will be submitted to the Facilities Design and Management (FD&M) Administrator for determination of whether the project should be performed under the Registered Plant program for the City (see Section IV C below).
- 2. All proposed City improvements which do not involve modification of existing City buildings will be submitted to the Development Services Center for review. The Development Services Center will notify the agency submitting the proposal of the codes/standards which apply to the project. Such review will occur before acquisition of property for installation of public facilities and/ or before initiating any improvement activity.
- 3. The Development Services Director has discretion in specifying the review procedures for ensuring compliance with most City Code requirements. When creating or modifying such review procedures, the Development Services Director will give primary consideration to the needs of affected departments.

**B. Emergency Street Closures and Excavations in the Public Right of Way**

Requirements for prior notification to the Traffic Engineer of street closures (Tucson Code Sec. 25-24) and/or prior permitting by Development Services of excavations in the public right-of-way are suspended in the event of an emergency (such as a fire, water main break, or traffic accident). However, departments will notify the Traffic Engineer's Office and/or obtain excavation permits from the Development Services Center as soon as possible.

**C. Registered Plant Program**

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— Under the Registered Plant Program, the FD&M Administrator is directly responsible for ensuring that those existing buildings and structures included in the City's Registered Plant comply with the requirements of the UBC.

□ The FD&M Administrator will submit all applications required under the program, and will send to department directors annually a listing of those buildings and structures which they operate which are covered under the City's Registered Plant.

The following procedures will be used for improvements on City buildings included in the City's Registered Plant:

- 1. All improvements proposed for existing buildings, except for Community Services' public housing units, will be forwarded to the FD&M Administrator for review prior to the start of any work.
2. The FD&M Administrator, in coordination with the Development Services Center, will determine:
  - a. Which improvements must have individual building permits;
  - b. Which improvements are covered under the Registered Plant Program; and
  - c. Which improvements are excluded from requirements for either a building permit or registration under the Registered Plant Program.
3. Individual improvements covered under the Registered Plant Program will be registered and inspected by the FD&M Administrator or a designated representative for conformance to UBC requirements.

### V. APPEAL

A. With certain exceptions (see subsection B, following), if plans or permits for City work are not approved by the responsible City agency, departments may appeal to the City Manager. The written appeal submitted by the department to the City Manager should:

- describe those factors which make complying with the code (s) in question infeasible or impossible,
- describe what alternative course of action is requested and why, and
- include review comments on the request from the City agency that withheld approval of the project. Those review comments should reference any adopted Mayor and Council policy that applies to the request.



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The City Manager will review the information and determine if exceptional circumstances exist that would warrant waiver of the application of this directive. If the Mayor and Council has adopted a policy requiring City compliance in specific situations, any request to waive the application of this directive in a similar situation must be approved by the Mayor and Council.

- B. Where an ordinance or Code provision contains specific language requiring the City to comply with the Code or standard, the department must request an appeal or variance through the applicable procedures established in the Code.

**VI. RESPONSIBILITY FOR REVIEW**

The Deputy City Manager will review this directive annually upon date of publication, or as necessary.

**AUTHORIZED:**

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**CITY MANAGER**